

15866 U.S. PTO  
032604

Practitioner's Docket No. L0750

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

17302 U.S. PTO  
10/810009  
032604

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Silvio Nunez

For (title): DOME TRAP

1. Type of Application

This application is for a continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Applications (35 U.S.C. §§ 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are  
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR  
U.S. APPLICATIONS CLAIMED.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is mandatory.)

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I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date  
03/26/2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as  
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Date: 03/26/2004

Sanford Astor  
Type or print name of person mailing paper

[Signature]  
Signature of person certifying

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**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

9 Page(s) of Specification  
3 Page(s) of Claims  
4 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

2 Page(s) of declaration and power of attorney  
1 Page(s) of abstract

**4. Additional Papers Enclosed**

Information Disclosure Statement (37 C.F.R. § 1.98)

Form PTO-1449 (PTO/SB/08A and 08B)

**5. Declaration or Oath**

Enclosed

Executed by:

\* inventor.

**6. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**7. Language**

English

**8. Fee Calculation (37 C.F.R. § 1.16)**

Regular Application

CLAIMS AS FILED										
Basic Fee 37 C.F.R. § 1.16(a) \$770.00										
Number Filed			Number Extra			Rate				
Total										
Claims (37 C.F.R. § 1.16(c))		13	–	20	=	0	x \$	18.00	= \$	0.00
Independent		2	–	3	=	0	x \$	86.00	= \$	0.00

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Claims (37 C.F.R. §  
1.16(b))

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Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))	\$	290.00	\$	290.00
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Filing Fee Calculation	\$1,060.00
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**9. Assertion of Small Entity Status**

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.  
Status as a small entity was asserted in the prior application 10/094,471 filed on March 8,  
2002 from which benefit is being claimed for this application under 35 U.S.C. § 120 and  
which status as a small entity is still proper and asserted for this application.

Filing Fee Calculation (50% of above Filing Fee Calculation)	<u>\$530.00</u>
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**10. Fee Payment Being Made at This Time**

Enclosed

Filing Fee	\$530.00
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<b>Total Fees Enclosed</b>	<b>\$530.00</b>
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**11. Method of Payment of Fees**

Authorization is hereby made to charge the amount of \$530.00 to Deposit Account No. 022448.

Charge any additional fees required by this paper or credit any overpayment in the manner  
authorized above.

A duplicate of this paper is attached.

**12. Authorization to Charge Additional Fees**

The Office is hereby authorized to charge, in the manner shown above, the following additional  
fees that may be required by this paper and during the entire pendency of this application.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

37 C.F.R. § 1.16(b), (c) or (d) (presentation of extra claims)

**13. Instructions as to Overpayment**

Credit Account No. 022448.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATIONS CLAIMED  
(37 C.F.R. § 1.78)**

**14. Relate Back**

Amend the specification by inserting, before the first line following the title, the following sentence:

**A. 35 U.S.C. Sections 120, 121 and 365(c)**

"This application is a continuation-in-part of copending application number 10/094,471 filed on March 8, 2002, which itself is a continuation-in-part of prior application number 09/713,955 filed 11/16/2000, now abandoned."

**15. Maintenance of Copendency of Prior Application**

**A. Extension of Time in Prior Application**

A petition, fee and response extends the term in the pending **prior** application until March 29, 2004.

A **copy** of the petition filed in prior application is attached.

**16. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- (a) This application discloses and claims additional disclosure and a new declaration or oath is being filed. With respect to the prior application, the inventor in this application is the same.

**17. Abandonment of Prior Application**

Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

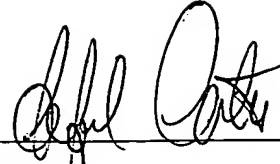
**18. Small Entity (37 C.F.R. § 1.28(a))**

Applicant has established small entity status by the filing of a statement in parent application 10/094,471 on March 8, 2002.

**19. NOTIFICATION IN PARENT APPLICATION OF THIS FILING**

A notification of the filing of this continuation-in-part is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Date: 03/26/2004



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Registration No. 20748  
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310-209-4400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Silvio Nunez

Application No.: 10/094,471  
Filed: March 8, 2002  
For: DOME TRAP

Group No.: 3751  
Examiner: Azadeh Kokabi

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME  
IN PARENT CASE THAT IS TO BE ABANDONED  
WHEN FILING NEW APPLICATION CLAIMING ITS BENEFIT

1. This conditional petition is being filed along with the separately filed continuation-in-part (CI-P) application and provides for the possibility that applicant has inadvertently overlooked the need or a petition and fee for extension of time.

A copy of this petition is being filed with the papers constituting the filing of the separately filed application.

If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☒ as "Express Mail Post Office to Addressee"

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**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Signature 

Date: 03/26/2004

Sanford Astor

*(type or print name of person certifying)*

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**2. Status**

This application is on behalf of a small entity.

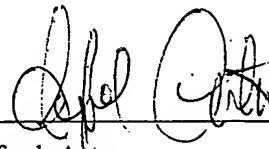
The statement is already filed in parent application. This status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

**3. Authorization for payment of fees**

The Commissioner is authorized to charge any fees under 37 C.F.R. § 1.17 (a) to (d) that may be required by this Conditional Petition to Deposit Account No. 022448.

A duplicate of this Conditional Petition is attached.

Date: 03/26/2004



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